

REMARKS

Claims 1-10 and 19-36 are pending in the application

The claims stand rejected as being either anticipated by van Halteren et al US 6,084,972 ("van Halteren") or as being unpatentable over van Halteren taken alone or in various combinations as indicated in the action. The applicant respectfully traverses the rejections and requests reconsideration.

Claim 1 requires, among other things, "at least one internal ground ... [that] provides a ground path between the cover and the base." The action alleges van Halteren teaches this structure, and the applicants respectfully disagree. In response to this argument, the action points particularly to col. 3 lines 62-67, and alleges the claimed internal ground between the cover and the base is taught by the reference but that it is not illustrated for clarity purposes, as stated in the reference. While the passage referenced in the action may suggest connecting of the high frequency ground (7') to the conductive housing (10, 11), the reference does not specifically teach how such connecting is accomplished (wire bonding, solder, conductive adhesive, etc.), that such connecting is between the cover and the base and that such connecting is by an internal ground. As such, without reading structure into the reference that is not specifically taught, the reference cannot and does not anticipate the claims as argued in the action.

In addition, Van Haltern specifically teaches forming two separate ground paths: a low frequency ground (7) and a high frequency ground (7') coupled to the low frequency ground path by an inductor. Furthermore, these ground paths are taught to be formed on the amplifier module 99 (Fig. 3 and onwards) and not between the cover and the base. The first ground path is provide between an input feed terminal (5) and the ground terminal (7) to suppress low frequency interference signals and a second ground path is provided by the second ground connection (7') to suppress high frequency interference signals. In contrast, the claimed invention suppresses high frequency interference and low frequency interference by providing an ground path that extends between the cover and the base.

For at least the foregoing reasons, the applicant submits that claim 1 is allowable over van Halteren. It follows, therefore, that claims 2-6, dependent from claim 1 are also allowable. Such action is requested.

In view of the above, and reiterating the arguments of the applicant's prior response, the remaining claims are also allowable.

Claim 7 recites, among other things, a first internal ground that couples to the microphone housing cover and an external ground. The microphone further includes a second internal ground, wherein the first internal ground and the second internal ground cooperate within the microphone housing base and the microphone housing cover to suppress radio frequency interference. As noted above, van Halteren does not teach or suggest an internal ground structure. There is no illustration of an internal ground or any discussion that the described ground structure, and in particular that set forth at col. 3, lines 62-67 is an internal ground. Therefore, van Halteren does teach at least a first internal ground between the cover and an external ground and cannot teach or suggest cooperation between the first internal ground and a second internal ground. As such, to the extent the action relies on this teaching contained in van Halteren, the action fails to make out a *prima facie* case of anticipation. Simply put, van Halteren fails to teach each and every limitation of claim 7 as required for the reference to anticipate the claim.

For at least the foregoing reasons, the applicant submits that claim 7 is allowable over van Halteren. It follows, therefore, that claims 8-10, dependent from claim 7 are also allowable. Such action is requested.

Claim 19 recites among other things a first ground path coupling the preamplifier assembly, the mounting frame and the base. The applicant notes that FIGs. 2A-2C illustrate a microphone structure including various mechanical components of the microphone. Neither FIGs. 2A-2C nor the discussion accompanying these figures discuss any structure for ground coupling these components. FIGs. 1A and 1B illustrate and the corresponding discussion describes one or more ground connecting points, e.g., points 7 and 7'. These points are illustrated in FIGs. 1A and 1B schematically and couple to various circuit elements of the transducer. However, nowhere illustrated in FIGs. 1A and 1B nor in

any portion of the specification associated therewith is there discussed a ground path coupling to a mounting frame and a base. The specification briefly references coupling the high-frequency ground connection 7' with the conducting housing 10, but explicitly fails to teach or suggest any structure for accomplishing this coupling. As such, to the extent the action relies on this teaching contained in van Halteren, the action fails to make out a *prima facie* case of anticipation. Simply put, van Halteren fails to teach each and every limitation of claim 19 as required for the reference to anticipate the claim. Furthermore, as van Halteren nowhere teaches or suggests a first ground path that couples to the mounting frame and base, it cannot render the claim unpatentable.

For at least the foregoing reasons, the applicant submits that claim 19 is allowable over van Halteren. It follows, therefore, that claims 20-29, dependent from claim 19 are also allowable. Such action is requested.

Claim 30 is alleged to be unpatentable over van Halteren. Claim 30 recites, among other things, first, second and third ground paths, wherein the first ground path couples the preamplifier assembly, the mounting frame and the base; the second ground path couples the preamplifier and the cover and the third ground path couples the terminal, the mounting frame and the preamplifier assembly. Van Halteren nowhere teaches or suggests three distinct ground paths, as required by the claim. While van Halteren teaches coupling of a conductive housing to a terminal, it nowhere describes the manner of such coupling. It certainly cannot fairly be said to suggest multiple distinct ground paths coupling transducer housing components as set forth in the claim. To the extent the examiner states it would be obvious to modify van Halteren to meet the limitations set forth in the claim, it is believed such a statement can only find its foundation in the applicant's own disclosure and is thus an impermissible use of hindsight. Van Halteren simply does not teach or suggest the claimed multiple, i.e., at least three, ground paths.

As such, to the extent the action relies on this teaching contained in van Halteren, the action fails to make out a *prima facie* case of obviousness against claim 30. For at least the foregoing reasons, the applicant submits that claim 30 is allowable over van Halteren. It follows, therefore, that claims 31-36, dependent from claim 30 are also allowable. Such action is requested.

Simply put, while the cited references (Van Halteren and Lenzini) may suggest a ground connection, none teach or suggest the specifically claimed ground path structures. The mere suggestion of a structure is not sufficient to enable one of ordinary skill in the art to make and use the device, and in particular, is insufficient to anticipate or render obvious the claimed specific structures.

In view of the above, applicant believes the pending application is in condition for allowance and such action is requested.

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Respectfully submitted,

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